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PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: WIJAYA et al.

Attorney Docket No.: WVANP013

Application No.: 09/750,385

Examiner: THEIN, MARIA TERESA T.

Filed: December 27, 2000

Group: 3627

Title: TECHNIQUE FOR IMPLEMENTING  
ITEM SUBSTITUTION FOR UNAVAILABLE  
ITEMS RELATING TO A CUSTOMER ORDER

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being transmitted by facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 8, 2006

Signed: \_\_\_\_\_

*Patricia Tate*

Printed Name: Patricia Tate

**AMENDMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated June 15, 2006, please amend the above-identified patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which being on page 2 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.

Appln. No. 09/750,385

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Docket No. WVANP013

**PATENT**

**Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A computer-implemented method for effecting, via a computer network, substitution of at least one ordered item of at least one customer order for on-line shopping, the method comprising:

receiving, via the computer network, at least one customer order placed by a customer through a computing device, the at least one customer order including more than one ordered item, with at least one ordered item having an ordered quantity larger than one, the customer order being a current order of the customer, including delivery time information regarding the order;

analyzing a selected portion of the received customer order taking into consideration at least another customer order to determine whether at least one item of inventory has been oversold, said analyzing being performed prior to the delivery of at least one ordered item of the received customer order and at least one ordered item of the at least another customer order;

identifying an ordered item in the received customer order relating to an oversold item; and

upon identifying the ordered item relating to the oversold item, automatically substituting, based upon information regarding at least one substitution preference stored in a storage medium, at least one substitute item for the identified ordered item in the received customer order, the at least one substitution preference being provided by the customer,

wherein the substituting depends on a ratio rule for substituting the substitute item for the identified ordered item,

wherein the quantity of the substitute item to be substituted for a quantity of the identified ordered item is not one for one, and is dependent on applying the ratio rule to the quantity of the identified ordered item,